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By: Judith Muzyk Date: June 1, 2004  
Judith Muzyk

Docket No.: 377/9-1617

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Gianluigi GAMBERINI  
Serial No.: 09/989,262 Group Art Unit: 3721  
Filing Date: November 20, 2001 Examiner: Christopher R. Harmon  
For: A UNIT FOR TRANSFERRING GROUPS OF ROLLS TO BE  
WRAPPED WITHIN A FILM, FROM AN INTERMEDIATE  
STATION TO SUBSEQUENT STATIONS

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**RESPONSE TO FINAL OFFICE ACTION**

In response to the Office Action dated December 1, 2003, the applicant hereby  
transverses the examiner's grounds for rejection.

Claims 1-4, 6-8 and 10-20 were rejected under 35 U.S.C. §103(a) as being unpatenable  
over Nordstrom '549 in view of Furuya and Nordstrom '096.

As stated in the prior response, it is improper to cite references that merely indicate that  
isolated elements appearing in the prior art renders obvious a particular combination of elements  
absent a teaching or suggestion to do so. Ex parte Hiyamizu 10 USPQ 2d 1993 (POBA 1988); In  
re Wesslau, 147 USPQ 395 (CCPA 1965).

The examiner cites Nordstrom '096 as disclosing side belt conveyors 146, to be combined  
with Nordstrom '549 modified further by Furuya.

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However, Nordstrom '096 has side conveyors located downstream of the folding apparatus and of the upper and lower belt conveyors 146. The side conveyors are the sole belt conveyors engaging the package, because the lower support surface 120 is a stationary surface (Sec. Col. 10, L. 4-12). Thus, it is not correct to rely on Nordstrom teaching a packaging apparatus with side belt conveyors working in conjunction with upper and lower conveyors to transport a package during a wrapping procedure. These side conveyors do not operate simultaneously on the packaging path and also are only use for transport, and not to assist in wrapping.

There is no teaching for using side conveyors for stabilizing a group of rolls to be wrapped, working with upper and lower conveyors. As stated previously the upper and lower conveyors and side conveyors, running at the same speed, transport a group of rolls P, with the film 6 wrapped around it without the rolls or film moving relative to each other. The prior art problems involved in wrapping such a group of rolls, without misalignment, are thus solved by the applicant's invention, which has all those conveyors running synchronously during the wrapping operation. In fact, the Nordstrom '096 patent teaches away since it does not use side conveyors to the same effect as applicant.

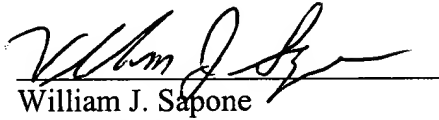
As there is no teaching or suggestion for doing as the applicant has done, claims 1-4, 6-8 and 10-20 are clearly patentable over the cited art.

As this is being filed at the end of the 3 month extension period, a Notice of Appeal is being filed herewith to avoid abandonment of the application.

Based on the above amendments and remarks, favorable consideration and allowance of the application is requested. However should the examiner believe that direct contact with the applicant's attorney would advance the prosecution of the application, the examiner is invited to

telephone the undersigned at the number given below.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'William J. Sapone', is written over a horizontal line.

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